

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:07cv354**

RITA K. STURGEON,)	
)	
Plaintiff,)	
)	
Vs.)	JUDGMENT
)	
MICHAEL J. ASTRUE, Commissioner of Social Security,)	
)	
Defendant.)	
)	

THIS MATTER is before the court upon the joint Motion for Entry of Judgment, and it appearing from the representation of the parties that the decision on remand of this court was entirely favorable to plaintiff, see Docket Entry # 19,¹ and that such decision constitutes the final decision of the Commissioner, 42 U.S.C. § 405(g)(sentence six),

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the final decision of the Commissioner, dated January 9, 2009, and fully favorable to the plaintiff is **AFFIRMED**, and this action is **DISMISSED**.

¹ While the parties state that they attached the final decision to their joint motion, such decision does not appear of record and the parties should take steps to supplement docket entry #19.

Counsel for plaintiff is advised that plaintiff has 30 days from entry of this Judgment to file an EAJA petition if she deems such course of action to be appropriate.

Signed: March 24, 2009

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

